

Please type a plus sign (+) inside this box

+

PTO/SB/18 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 17354

First Named Inventor DEAN J. MAYERLE

Title EQUALIZING METER DEVICE

Express Mail Label No. EV313041948US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: MAIL STOP - PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. (X) Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. () Applicant claims small entity status
See 37 CFR 1.27
3. (X) Specification [Total Pages - 23]
(preferred arrangement set forth below, MPEP 1503.01)
- Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claims
 - Abstract of the Disclosure
4. (X) Drawing(s) (35 U.S.C. 113) [Total Sheets 5]
5. (X) Oath or Declaration [Total Pages 1]
- a. (X) Newly executed (original or copy)
 - b. () Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 16 completed)
 - i. () **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63 (d)(2) and 1.33 (b).
6. () Application Data Sheet. See 37 CFR 1.76
7. () CD-ROM or CD-R in duplicate, large table or Computer Program
(Appendix)

8. () Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. () Computer Readable Form (CRF)
 - b. () Specification Sequence Listing on:
 - i. () CD-ROM or CD-R (2 copies); or
 - ii. () paper
 - c. () Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. (X) Assignment Papers
10. () 37 CFR 3.73(b) Statement () Power of Attorney
(when there is an assignee)
11. () English Translation Document (if applicable)
12. (X) Information Disclosure Statement (IDS)/PTO-1449 () Copies of IDS Citations
13. () Preliminary Amendment
14. (X) Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. () Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. () Request and Certification under 35 U.S.C. 122
(b)(2)(B)(i) - Applicant must attached form PTO/SB/35 or its equivalent
17. () Other: _____

16. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

() Continuation () Divisional () Continuation-in-part (CIP) of prior application No: _____
Prior application information: Examiner Group / Art Unit:

For **CONTINUATION** or **DIVISIONAL** APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

41052

or ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type) William T. Kryger

Registration No. (Attorney/Agent) 53,163

Signature

Date

3/30/04

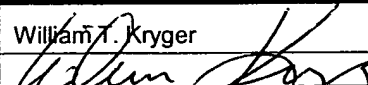
Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Design, Washington, DC 20231.

{00057398.DOC /}

033004

20427 U.S. PTO

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004		Complete if Known																																																																																																																																																																																					
Patent fees are subject to annual revision.		Application Number																																																																																																																																																																																					
		Filing Date																																																																																																																																																																																					
		First Named Inventor	Dean J. Mayerle																																																																																																																																																																																				
		Examiner Name																																																																																																																																																																																					
		Group Art Unit																																																																																																																																																																																					
		Attorney Docket No.	17354																																																																																																																																																																																				
TOTAL AMOUNT OF PAYMENT		\$810.00																																																																																																																																																																																					
METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																																					
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/> Deposit Account Deposit Account Number: 50-1170 Deposit Account Name: Boyle, Fredrickson, Newholm, Stein & Gratz S.C. The Commissioner is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th></th><th>Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th><th></th><th></th></tr></thead><tbody><tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr><tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>116</td><td>420</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td></td></tr><tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td></tr><tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr><tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr><tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td><td></td></tr><tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td><td></td></tr><tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr><tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40</td></tr><tr><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>179</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr></tbody></table>		Large Entity		Small Entity			Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)			105	130	205	65	Surcharge - late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	420	216	200	Extension for reply within second month		117	920	217	460	Extension for reply within third month		118	1,440	218	720	Extension for reply within fourth month		128	1,960	228	980	Extension for reply within fifth month		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,280	241	640	Petition to revive - unintentional		142	1,280	242	640	Utility issue fee (or reissue)		143	460	243	230	Design issue fee		144	620	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Processing fee under 37 CFR 1.17(q)		126	180	126	180	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)	40	146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))		149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))		179	740	279	370	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application	
Large Entity		Small Entity			Fee Paid																																																																																																																																																																																		
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																				
105	130	205	65	Surcharge - late filing fee or oath																																																																																																																																																																																			
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																			
139	130	139	130	Non-English specification																																																																																																																																																																																			
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination																																																																																																																																																																																			
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																			
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																			
115	110	215	55	Extension for reply within first month																																																																																																																																																																																			
116	420	216	200	Extension for reply within second month																																																																																																																																																																																			
117	920	217	460	Extension for reply within third month																																																																																																																																																																																			
118	1,440	218	720	Extension for reply within fourth month																																																																																																																																																																																			
128	1,960	228	980	Extension for reply within fifth month																																																																																																																																																																																			
119	320	219	160	Notice of Appeal																																																																																																																																																																																			
120	320	220	160	Filing a brief in support of an appeal																																																																																																																																																																																			
121	280	221	140	Request for oral hearing																																																																																																																																																																																			
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																			
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																																			
141	1,280	241	640	Petition to revive - unintentional																																																																																																																																																																																			
142	1,280	242	640	Utility issue fee (or reissue)																																																																																																																																																																																			
143	460	243	230	Design issue fee																																																																																																																																																																																			
144	620	244	310	Plant issue fee																																																																																																																																																																																			
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																			
123	50	123	50	Processing fee under 37 CFR 1.17(q)																																																																																																																																																																																			
126	180	126	180	Submission of Information Disclosure Stmt																																																																																																																																																																																			
581	40	581	40	Recording each patent assignment per property (times number of properties)	40																																																																																																																																																																																		
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																			
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																			
179	740	279	370	Request for Continued Examination (RCE)																																																																																																																																																																																			
169	900	169	900	Request for expedited examination of a design application																																																																																																																																																																																			
1. BASIC FILING FEE <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th>Fee Description</th><th>Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th><th></th><th></th></tr></thead><tbody><tr><td>101</td><td>770</td><td>201</td><td>385</td><td>Utility filing fee</td><td>770</td></tr><tr><td>106</td><td>340</td><td>206</td><td>170</td><td>Design filing fee</td><td></td></tr><tr><td>107</td><td>530</td><td>207</td><td>265</td><td>Plant filing fee</td><td></td></tr><tr><td>108</td><td>770</td><td>208</td><td>385</td><td>Reissue filing fee</td><td></td></tr><tr><td>114</td><td>160</td><td>214</td><td>80</td><td>Provisional filing fee</td><td></td></tr></tbody></table> SUBTOTAL (1) (\$770)		Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)			101	770	201	385	Utility filing fee	770	106	340	206	170	Design filing fee		107	530	207	265	Plant filing fee		108	770	208	385	Reissue filing fee		114	160	214	80	Provisional filing fee																																																																																																																																													
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																		
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																				
101	770	201	385	Utility filing fee	770																																																																																																																																																																																		
106	340	206	170	Design filing fee																																																																																																																																																																																			
107	530	207	265	Plant filing fee																																																																																																																																																																																			
108	770	208	385	Reissue filing fee																																																																																																																																																																																			
114	160	214	80	Provisional filing fee																																																																																																																																																																																			
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th><th>Fee Description</th><th>Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th><th></th><th></th></tr></thead><tbody><tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td><td></td></tr><tr><td>102</td><td>86</td><td>202</td><td>43</td><td>Independent claims in excess of 3</td><td></td></tr><tr><td>104</td><td>290</td><td>204</td><td>145</td><td>Multiple dependent claim, if not paid</td><td></td></tr><tr><td>109</td><td>86</td><td>209</td><td>43</td><td>**Reissue independent claims over original patent</td><td></td></tr><tr><td>110</td><td>18</td><td>210</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td><td></td></tr></tbody></table> SUBTOTAL (2) (\$0) <small>** or number previously paid, if greater; For Reissues, see above</small>		Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)			103	18	203	9	Claims in excess of 20		102	86	202	43	Independent claims in excess of 3		104	290	204	145	Multiple dependent claim, if not paid		109	86	209	43	**Reissue independent claims over original patent		110	18	210	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																													
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																		
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																				
103	18	203	9	Claims in excess of 20																																																																																																																																																																																			
102	86	202	43	Independent claims in excess of 3																																																																																																																																																																																			
104	290	204	145	Multiple dependent claim, if not paid																																																																																																																																																																																			
109	86	209	43	**Reissue independent claims over original patent																																																																																																																																																																																			
110	18	210	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																																			
		Other fee (specify) _____																																																																																																																																																																																					
		SUBTOTAL (3) \$40																																																																																																																																																																																					
SUBMITTED BY		Complete (if applicable)																																																																																																																																																																																					
Name (Print/Type)	William T. Kryger	Registration No. (Attorney/Agent)	53, 163																																																																																																																																																																																				
Signature		Telephone	(414) 225-6306																																																																																																																																																																																				
		Date	3/30/04																																																																																																																																																																																				

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant commissioner for Patents, Washington, DC 20231.



BOYLE
FREDRICKSON
NEWHOLM
STEIN&GRATZ_{SC}

INTELLECTUAL PROPERTY LAW

SUITE 1030
250 EAST WISCONSIN AVENUE
MILWAUKEE, WI 53202
PHONE: 414.225.9755 FAX: 414.225.9753
E-MAIL: MAIL@BOYLEFRED.COM

WILLIAM T. KRYGER
DIRECT DIAL: 414-225-6306
WTK@BOYLEFRED.COM

March 30, 2004

EXPRESS MAIL

Mail Stop - Box Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

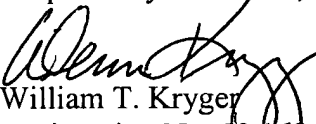
Re: Utility Patent Application Transmittal
Inventor: Dean J. Mayerle
Title: EQUALIZING METER DEVICE
Our Ref.: 17354

Dear Sir:

Enclosed is a check in the amount of \$810.00 in payment of (1) the government filing fee and (2) the assignment recordal for the enclosed United States patent application, which application includes **23** pages of specification, **19** claims, **6** Drawing figures on **5** sheets, and an Abstract. Also enclosed is an executed Declaration and Power of Attorney document, and an Assignment and Recordation Cover Sheet, and an Information Disclosure Statement (IDS).

The Director is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1170.

Respectfully submitted,


William T. Kryger
Registration No. 53,163


41052

Certification Under 37 CFR 1.10

Express Mail Label No:EV313041948 US

Date of Deposit: **March 30, 2004**

I hereby certify that this paper or fee is being deposited with the United States Postal Service in "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the MAIL STOP - BOX PATENT APPLICATION, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

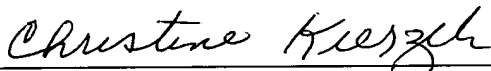

Christine Kierzek

Certification Under 37 CFR 1.10

Express Mail Label No: **EV313041948US**

Date of Deposit: **March 30, 2004**

I hereby certify that this paper and/or fee is being deposited with the United States Postal Service in "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Mail Stop - Box Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Christine Kierzek